

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
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Legislation Title:

AN ORDINANCE relating to the City Light Department; authorizing the Superintendent to execute permits with indemnity provisions for use of real property owned by Union Pacific Railroad Company, Burlington Northern Santa Fe Railroad Company, and the Washington State Department of Transportation, related to the City Light Department's Creston-Nelson to Duwamish Transmission Line Rebuild and New 26 kV Distribution Feeder Project.

Summary of the Legislation:

This legislation will allow City Light to enter into the permits with indemnity provisions for electric line crossings of real property owned by Union Pacific Railroad Company (UPRR), Burlington Northern Santa Fe Railroad Company (BNSF), and the Washington State Department of Transportation (WSDOT), related to the Creston-Nelson to Duwamish Transmission Line Rebuild and the New 26kV Distribution Feeder Projects.

Background:

City Light must rebuild the existing high-voltage transmission line between its Creston-Nelson Substation and East Marginal Way South due to deterioration of the support structures, and at the same time, construct a new 26kV overhead feeder system from its Creston-Nelson Substation to the project terminus in the vicinity of South 120th Place and East Marginal Way South in the City of Tukwila. City Light's overhead electric lines will cross Interstate 5 just south of the overpass of the South Boeing Access Road.

City Light's electric lines will cross over, and new poles will be installed, in certain portions of UPRR, BNSF, and WSDOT properties. These organizations routinely issue permits to allow electric line crossings. These permits contain certain indemnity provisions that obligate utilities to release, indemnify, defend, and hold harmless UPRR, BNSF, and WSDOT, for damages that may be caused by or may result from the construction and operation of the electric line crossings.

Pursuant to RCW 35.32A.070, City Council approval by ordinance is required for the acceptance of such indemnity obligations that could result in expenditures for utility purposes not contemplated in the annual budget.

X **This legislation does not have any financial implications.**

Other Implications:

- a) **Does the legislation have indirect financial implications, or long-term implications?**
No.
- b) **What is the financial cost of not implementing the legislation?**
City Light would not be able to replace its aged and deteriorated electric line crossing. The eventual failure of this line would expose City Light to substantial liabilities and damages. Also, City Light would not be able to meet the increased electrical demand for a major customer in the area.
- c) **Does this legislation affect any departments besides the originating department?**
No.
- d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?**
None.
- e) **Is a public hearing required for this legislation?**
No.
- f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?**
No.
- g) **Does this legislation affect a piece of property?**
Yes.
- h) **Other Issues:**
None.

List attachments to the fiscal note below:

Attachment 1: Vicinity Map.

Vicinity Map

